

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RONALD G. DANDAR,
Petitioner

v.

DAVID GOOD, Superintendent, et al.,
Respondents.

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**Civil Action No. 05-472 Johnstown
District Judge McLaughlin
Magistrate Judge Baxter**

REPORT AND RECOMMENDATION

AND NOW, this 3rd day of January, 2006, after Petitioner presented a petition for a writ of habeas corpus which he seeks leave to prosecute in forma pauperis, and it appearing that he has an average monthly balance of \$ 46.79 in his account at the State Correctional Institution at Cresson, Pennsylvania, which sum far exceeds the \$ 5.00 filing fee required to commence this action, and it further appearing that requiring the Petitioner to pay the filing fee will not deprive him of any necessities of life at the Prison,

It is recommended that leave to proceed in forma pauperis be denied.

In accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.1.4(B) of the Local Rules for Magistrates, the parties are allowed ten (10) days from the date of service to file objections to this report and recommendation. Any party opposing the objections shall have seven (7) days from the date of service of objections to respond thereto. Failure to file timely objections may constitute a waiver of any appellate rights.

S/Susan Paradise Baxter
SUSAN PARADISE BAXTER
Chief U.S. Magistrate Judge

cc: Ronald G. Dandar # AP-6933
SCI Cresson
Old Route 22
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